D.B.CRIMINAL APPEAL NO.254/2002
(Chain Singh v. State of Rajasthan)

28/8/2006

HON'BLE MR.JUSTICE N.N.MATHUR
HON'BLE MR.JUSTICE R.P.VYAS

Mr.N.S.Bhati
Mr.G.R.Punia, for the appellants.

Mr.O.P.Rathi, Public Prosecutor.

The judgment is dictated in open Court, operative portion whereof runs as under:

"In view of the aforesaid discussion, the appeal is partly allowed. The conviction of appellant Chain Singh is altered from the offence u/s.302 to Sec.304 part II IPC. He is in jail since July 2001, as such, he has undergone a substantive sentence of five years. Thus, the sentence awarded to appellant Chain Singh is reduced to the period already undergone. He shall be released forthwith, if not required in any other case. However, the conviction of appellant Parbat Singh of offence under sections 447 & 323

IPC is maintained. He has been enlarged giving benefit of Probation of Offenders Act." (See separate judgment)

(R.P.VYAS), J. **(N.N.MATHUR), J.**

RANKAWAT JK, PS